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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA,

16 Plaintiff,

v.

17 CARLOS E. KEPKE,

18 Defendant.

19 Criminal No. 3:21-CR-00155-JD

20 STIPULATION TO EXCLUDE TIME
FROM APRIL 22, 2021 THROUGH
JUNE 30, 2021 AND [PROPOSED] ORDER

21 It is hereby stipulated by and between counsel for the United States and counsel for the
22 Defendant Carlos E. Kepke, that time be excluded under the Speedy Trial Act from April 22, 2021
through June 30, 2021.

23 At the initial appearance held on April 22, 2021, the government and counsel for Defendant
24 agreed that time be excluded under the Speedy Trial Act so that defense counsel could continue to
25 prepare, including by reviewing the discovery to be produced. The government and counsel for
26 Defendant further hereby stipulate and agree that this matter is complex, as defined in 18 U.S.C. §
27 3161(h)(7)(B)(ii), due to the breadth and duration of the conduct alleged in the Indictment, and the
28 government's representation that discovery will be voluminous.

1 For these reasons, and as further stated on the record at the initial appearance, the parties
2 stipulate and agree to exclude time until June 30, 2021, and further stipulate and agree that the ends of
3 justice served by excluding the time from April 22, 2021 through June 30, 2021 from computation under
4 the Speedy Trial Act outweighs the best interests of the public and Defendant in a speedy trial. 18
5 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), (h) (7)(B)(ii), (h)(7)(B)(iv).

6 The undersigned Assistant United States Attorney certifies that he has obtained approval from
7 counsel for Defendant to file this stipulation and proposed order.

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9 IT IS SO STIPULATED.

10 STEPHANIE M. HINDS
11 Acting United States Attorney

12 s/ Michael G. Pitman
13 MICHAEL G. PITMAN
14 Assistant United States Attorney
COREY J. SMITH
Senior Litigation Counsel

15 Attorneys for United States of America

16 s/ Grant P. Fondo
17 GRANT P. FONDO

18 Appearng Specially for Defendant Carlos E. Kepke

19
20 [PROPOSED] ORDER

21 Based upon the facts set forth in the stipulation of the parties and the representations made to the
22 Court on April 22, 2021 and for good cause shown, the Court finds that time should be excluded from
23 April 22, 2021 through June 30, 2021 under the Speedy Trial Act because of the complexity of the case,
24 and also that failing to exclude the time from April 22, 2021 through June 30, 2021 would unreasonably
25 deny defense counsel and Defendant the reasonable time necessary for effective preparation, taking into
26 account the exercise of due diligence. 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), (h) (7)(B)(ii),
27 (h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from April
28 22, 2021 to June 30, 2021 from computation under the Speedy Trial Act outweigh the best interests of

1 the public and Defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS
2 HEREBY ORDERED that the time from April 22, 2021 through June 30, 2021 shall be excluded from
3 computation under the Speedy Trial Act.

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5 IT IS SO ORDERED.

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7 DATED: _____

JACQUELINE SCOTT CORLEY
United States Magistrate Judge

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